

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

TRACI REILLY,

Plaintiff,

v.

NOVARTIS PHARMACEUTICALS
CORPORATION, et al.,

Defendants.

Civil Action No. 07-4665 (SDW)

ORDER

September 18, 2009

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE**

This matter comes before the Court on the Report and Recommendation ("R&R") of United States Magistrate Judge Madeline C. Arleo filed July 30, 2009, regarding Plaintiff's motion to remand pursuant to 28 U.S.C. § 1447(c) to the Superior Court of New Jersey, Law Division, Essex County. Defendants Novartis Pharmaceuticals Corporation and Astellas Pharma US oppose the motion to remand arguing that Plaintiff's claim for punitive damages under the New Jersey Products Liability Act, N.J.S.A. § 2A:58C-1, et seq., raises a federal question. No objections to the R&R were filed.

The Court has reviewed the R&R and the briefs and documents on file in this matter. Based on the foregoing, and for good cause shown,

IT IS, on this 18th day of September, 2009,

ORDERED that the R&R of Magistrate Judge Arleo filed July 30, 2009, is **ADOPTED** as the conclusions of law of this Court; and it is further

ORDERED that Plaintiffs' motion seeking to remand the pending matter is **GRANTED**.

s/ Susan D. Wigenton, U.S.D.J.

cc: Magistrate Judge Madeline C. Arleo